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14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA

<p>16 CYTOSPORT, INC., a California Corporation, 18 Plaintiff, 19 vs. 20 CYTOGENIX SPORTS LABORATORIES, SRL, a Barbados Corporation, 21 Defendant.</p>	<p>Case No.: 2:10-CV-00700-WBS-KJM</p> <p>STIPULATION AND [PROPOSED] ORDER GRANTING EXTENSION OF TIME FOR PLAINTIFF TO FILE SECOND AMENDED COMPLAINT</p>
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23 Pursuant to L.R. 6-144, plaintiff CytoSport, Inc. (“Plaintiff”) and defendant Cytogenix Sports
 24 Laboratories, by and through their undersigned counsel, hereby stipulate and agree that Plaintiff
 25 shall receive an extension in which to file the Second Amended Complaint in this matter per the
 26 Court’s December 23, 2010 Order. The Court’s Order (Document No. 52) set the Amended
 27 Complaint filing deadline as January 10, 2011; however, the parties stipulate to continue the filing
 28 deadline to January 26, 2011 as a result of ongoing settlement discussions.



1 DATED: January 10, 2011

2 **RAY QUINNEY & NEBEKER P.C.**

3 -and-

4 **MILLSTONE, PETERSON & WATTS, LLP**

5
6 By: /s/ Glenn W. Peterson
7 GLENN W. PETERSON

8 Attorneys for Plaintiff CytoSport, Inc.

9 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
10 "conformed" signature (/s/) within this e-filed document.

11 **MILLSTONE PETERSON & WATTS, LLP**

12 *Attorneys at Law*
13 /s/ Glenn W. Peterson

14 DATED: January 10, 2011

15 **KENYON & KENYON LLP**

16 By: /s/ Megan W. Olesek
17 **(As Authorized on 01/10/11)**
18 MEGAN W. OLESEK

19 Attorneys for Defendant
20 Cytogenix Laboratories, SRL

21 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
22 "conformed" signature (/s/) within this e-filed document.

23 **KENYON & KENYON LLP**

24 /s/ Megan W. Olesek

25 **ORDER**

26 Based upon the foregoing stipulation, and good cause appearing, the deadline for serving the
27 Amended Complaint in this matter is extended from January 10, 2011 to January 26, 2011.

28 **SO ORDERED.**

DATED: JANUARY 10, 2011



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE